

**REMARKS**

**TELEPHONE INTERVIEW**

The undersigned acknowledges that a telephone interview took place between Examiner Price and the undersigned on January 22, 2002. A restriction requirement was discussed restricting claims 1-9 into three groupings. An election was not made during this interview.

**RESTRICTION REQUIREMENT**

A restriction requirement has been required pursuant to 35 U.S.C. Section 121 for three distinct inventions. During a telephone conversation between Examiner Price and the undersigned on January 22, 2002 no election was made. Presently, the undersigned wishes to provisionally elect claims 1-5 for examination with traverse but presents the following arguments to support no restriction requirements.

The Examiner argues that a restriction requirement is proper for each of three groups of claims because of the following reasons. For Invention I, the Examiner argues that the needle recited in this group of claims (1-5) could be used on humans to inject drugs into the body, Invention II (claims 6-8) could be used to dispense various types of fluids into the blood stream of a human, and Invention III (claim 9) could be used to clean dirty needles.

Regarding Invention I (claims 1-5), claim 1 specifically states the needle is for use in injecting eggs, thus limiting use of the needle which would not include injecting drugs into humans. The claims of Invention II also state that the apparatus for delivering fluid is for use on a hollow needle of an egg injection device eliminating such use to not include dispensing various types of fluids into the blood stream of a human. Also, Invention II (claim 9) restricts the sanitizing apparatus to use on cleaning the injector assembly of an egg injection device.

Therefore, the undersigned submits that the restriction requirements in the Office Action dated January 29, 2002 are improper because the inventions of claims 1-5, 6-8, and 9 are not "independent and distinct" from each other but instead are useable only in conjunction with each other as part of an egg injection apparatus. Thus, all of the claims should be retained and prosecuted in this application. In view of the foregoing, applicant and undersigned respectfully requests that the

restriction requirements be withdrawn upon reconsideration and all of the claims be retained and acted upon in the present application.

AMENDMENTS TO THE SPECIFICATION

No Remarks

AMENDMENTS TO THE CLAIMS

No Remarks

Applicant hereby requests further examination and reconsideration of the application, in view of the foregoing amendments.

Respectfully submitted,

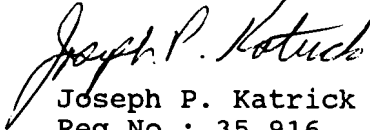


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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on April 22, 2002.



Joseph P. Katrick  
Reg No.: 35,916  
Date: April 22, 2002